

# Notice of Allowability

Application No.

10/672,554

Examiner

Sanza L. McClendon

Applicant(s)

KALGUTKAR, RAJDEEP S.

Art Unit

1711

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/26/2005.
2. ☒ The allowed claim(s) is/are 1-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

#### ***Response to Amendment***

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. In response to the Amendment received on October 26, 2005, 2005, the examiner has carefully considered the amendments, which has been made part of the Official record.

#### ***Terminal Disclaimer***

3. The terminal disclaimer filed on October 26, 2005 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of 10/672,814; 10/672,762 and 10/847,523 has been reviewed and is accepted. The terminal disclaimer has been recorded.

#### ***Response to Arguments***

4. Applicant's arguments, see Amendment, filed September 14, 2005, with respect to claims 1-28 have been fully considered and are persuasive. The rejection of claims 1-7, 4, 17-19, and 21-24 under 35 USC 102(b) by or, in the alternative, obvious over Shimda et al (JP 2002-341519) has been withdrawn. The rejection of claims 11-13 and 15-16 under 35 USC 103(a) as being obvious over Shimda et al (JP 2002-341519) in view of JP 09-34410 has been withdrawn. The rejection of claims 1-5, 11, 14, 17-19 and 21-24 under 35 USC 103(a) as being obvious over Kawashima et al (US 5,486,544) in view of Shimda et al (JP 2002-341519) has been withdrawn. The rejection of claims 25-28 as being anticipated under 35 USC 102(b) by Shimda et al (JP 2002-341519) has been withdrawn.

#### ***Allowable Subject Matter***

5. Claims 1-28 are allowed.
6. The following is an examiner's statement of reasons for allowance: The primary reasons for allowance is applicant's amendment, which clarifies that the instantly claimed compositions are free of additional components that absorb actinic radiation in the wavelength range of 400 to less than 1000 nanometers. The withdrawn prior art rejections all teach the addition of a component a light-to-heat conversion agent that is an infrared absorbing dye or pigment having an infrared radiation absorption maximum from 760 to 1200 nanometers in addition to a arylsulfinate salt. Therefore these references teach additional components that absorb radiation in the wavelength excluded by the instant invention. Accordingly the instant invention of claims 1-28 is distinguished over the prior art and deemed allowable.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanza L. McClendon whose telephone number is (571) 272-1074. The examiner can normally be reached on Monday through Friday 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sanza L McClendon

Examiner

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SMc

  
James J. Seidleck  
Supervisory Patent Examiner  
Technology Center 1700